

Weymouth and Portland Borough Council

Off Street Car Parking Policy

2017-2022

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Introduction

This policy is designed to provide a framework for the provision of OFF STREET parking in Weymouth & Portland which will support both the local economy of the Borough and the free movement of traffic on the highway. The policy is set out in 4 chapters:

- (1) Overview of existing provision and emerging influences on parking
- (2) Principles of charging for OFF STREET parking in the Borough
- (3) Car park quality
- (4) Operational protocol, which provides information for the public, members and enforcement officers on the enforcement regime in operation.

The overarching objectives of the Parking Policy are to:

- 1) To provide Weymouth & Portland with sufficient appropriately located car parking that is safe and secure with parking charges set at levels that would not be detrimental to the town's economic performance.
- 2) To contribute to Dorset County Council's transport objectives that includes reducing congestion in order to maintain the free flow of traffic while improving road safety and to use parking in order change travel behaviour.

1 Overview of Existing Provision

- 1.1. The Council has off street car parking available across the whole Borough. In Weymouth & Portland this consists of 31 public chargeable and non chargeable car parks. These currently comprise short stay and long stay pay & display car parks that have disabled spaces and electric vehicle charging bays. These chargeable car parks provide approximately 2,300 parking spaces.
- 1.2. There are 5 non chargeable car parks in Weymouth associated with various parks and other facilities, and comprising approximately 120 car parking spaces.
- 1.3. In Portland there are 5 chargeable pay and display car parks with approximately 1170 car parking spaces. There are 6 non chargeable car parks with approximately 300 car parking spaces.
- 1.4. In addition there are other public car parks operated by private operators, commercial parking for customers and staff at supermarkets and retail outlets. The town centre has a total of circa 1,530 off street car parking spaces including the chargeable 470 space multi-storey public car park, and three surface level public car parks with 150 parking spaces. The remainder are mainly free car parks relating to business users including Asda supermarket, B&Q and the Jubilee retail park.
- 1.5. Coach parking is provided at certain car parks - Lodmoor (57), Pavilion (7), Chesil (unrestricted), Masonic (7) and Portland Bill (9).
- 1.6. Bays are reserved for vehicles displaying blue badges, generally located in areas of the car parks that are nearest the local amenities and the pay & display

machines. There are 85 such bays in the town centre and another 60 elsewhere in the Borough.

- 1.7. Motorcycle parking is provided by the Council in its car parks with some 29 dedicated bays with 14 of them within the town centre and currently parking is free for motorcycles.
- 1.8. Electric vehicle charging points exist in one car park (Harbourside off Commercial Road) at this time. Parking is currently free while the electric vehicle is connected and being charged.
- 1.9. Statistics show that there is adequate parking provision in the town, although there is some pressure on a limited number of days. Weymouth experiences significant fluctuations in the demand for car parking, due to the summer holiday period. Parking provision is complimented by the on street parking bays as well as Dorset County Council's park and ride car park located just over 2 miles from the town centre.

Class of Vehicle

- 1.10. All motor vehicles, including motorhomes, vans, and vehicles with trailers or caravans are permitted to park within a council operated car park. They must however be parked wholly within a marked parking bay.
- 1.11. Coaches are permitted to use Lodmoor, Pavilion Forecourt drop off area, Chesil Beach, Masonic and Portland Bill car parks.
- 1.12. HGV's are permitted to use Lodmoor and Masonic car parks.

2 Challenges

- 1.13. Weymouth is entering a period of regeneration and development informed by the Town Centre Masterplan which includes development on a number of existing car parks. This process is likely to result in changes in town centre provision, and in the pattern of use of this provision. This presents an opportunity to establish a single strategy for both on street and off street parking which maximises the use of remaining space whilst effecting behaviour changes by drivers which might be required by the town's development. This work will be commenced alongside development plans for the Peninsula and Commercial Road sites and will be significantly informed by the LEP funded transport studies commissioned by Dorset County Council.
- 1.14. As a family seaside destination, Weymouth experiences significant fluctuations in car parking demand, with peak season pressure on prime car parks closest to the beach. As the town regenerates, meeting this demand through a mix of car park development, use of park and ride, and encouragement of travel modes will be a particular challenge to address.
- 1.15. The condition of the car parks has in recent years suffered due to limited maintenance. Due to the location and environmental conditions Chesil Beach car park is constantly requiring repairs to its surface. A project is currently underway to try a new method that it is hoped will stabilise the gravel surface.
- 1.16. A lot of investment however has been made with 20 new pay and display machines together with new signs have already been introduced with another 40

new pay and display machines being installed before the end of March 2017. A lot of remedial work on the surfaces and refreshed bay markings has also been achieved in 2016.

3 Principles & Charging

1.17. The Council provides a mix of free and charged car parks, with free car parks generally being those where there is either limited demand or an overriding social need for free parking to support a local community facility. Where charges are applied, the following principles influence both the charges levied and the applications of these charges:-

- **Demand pricing** – prices will be set to reflect demand both across the day and across the year, with charges being highest during peak season and at the busiest times of day. Likewise, those car parks in central locations will have higher prices than periphery car parks. This approach reflects the value of parking spaces, facilitates customer choice, and facilitates equalisation of use across the day. Prices will be benchmarked locally to ensure they are competitive.
- **Charging per bay** – a vehicle which uses 2 bays (e.g., car and caravan) will be required to purchase a ticket for each bay used. Where wide bays are provided to accommodate larger vehicles, these will attract a premium.
- **Blue Badge Parking** – vehicles displaying a Blue Badge will be required to pay for parking. Such vehicles will be allowed 1 hour “grace period” over and above the paid for period, compared to the 10 minutes allowed for non Blue Badge holders.
- **Solo motorcycles** are allowed to park free of charge when parked within a marked parking bay designated for solo motorcycles.
- **Support for residents** – it is recognised that On Street Parking in central Weymouth is limited, and reduced still further in some areas when specific sports or cultural events take place. It is also recognised that local people may wish to visit town regularly and should not be discouraged from doing so by the pricing structure. To address these issues the Council will:
 - Make available season tickets for durations of between 1 week and 12 months, with discounts applied
 - Make available visitors permits to centrally located hotels, to encourage visitors to use Off Street Parking, with discounts applied
 - Make available free Off Street Parking for residents with On Street Parking Permits for specific event days where their parking has been suspended.
- **Support for businesses** – local businesses can apply for discounted business permits which allow parking in convenient town centre car parks. In addition businesses are supported by:

- Free or discounted parking for specific periods in the lead up to Christmas, determined each year in consultation with Weymouth BID
- Five days per annum when the Council can use the Weymouth town centre car parks for events which generate valuable footfall for businesses.

4 Parking Charges Review

- 1.18. The Council, when reviewing its parking charges will take into account a large number of factors, including but not limited to:
- a. The **recovery of expenditure** incurred on the provision and management of the public car parks to avoid this financial burden falling on to the council tax payer and depriving other vital council services of crucial funds.
 - b. The **parking charges of its competitors**, including the charges made by private sector car parks within the Borough, as well as comparing its charges with similar nearby seaside resorts and Dorset County Council charges for On Street parking.
 - c. The **effectiveness of short term parking charges in town centre car parks** in facilitating turnover of car parking spaces in order to attract more visitors/shoppers to the town centres.
 - d. The **demand for car parking**, as evidenced by occupancy rates at different time and date points
 - e. The **consumer price index** to understand the impact of inflation rate on parking charges.

The Council will consult the BID, Chamber of Commerce and Portland Town Council as part of any charges review.

5 Facilities & Maintenance

- 1.19. This section of the policy focuses how the Council's car parks are maintained and the provision of the most appropriate facilities and information within its car parks. Annual reviews will be undertaken to ensure that the policy is appropriate following experience of operating the car parks and taking on board comments received from the public and other stakeholders.
- 1.20. This will ensure that the policy will assist the Council in delivering excellent car parking services for the benefit of the Borough's community.
- 1.21. Weymouth & Portland Borough Council recognises that the car parking experience greatly impacts on the overall visitor experience of the various towns and as a holiday destination. The parking experience commences for the motorist as they near the end of their journey and start looking for a convenient place to park.
- 1.22. Once parked the motorist will then expect it to be easy to locate the nearest pay & display machine and that all machines are in good working order, together with clear instructions for their use. To assist the motorist there should be a number of

options when considering making the payment to park, e.g. cash, credit card and mobile phone.

- 1.23. To ensure the Borough's car parks adequately meet the needs of motorists, the Council strives to maintain and operate its car parks in accordance with the national **Park Mark** scheme which sets national quality standards.

Park Mark Awards

- 1.24. It is the objective of the Council to achieve the prestigious Park Mark Award for each of its car parks. This is a national standard for UK car parks that have low crime and measures in place to ensure the safety of people and vehicles. A Park Mark is awarded to each car park that achieves the challenging standards.
- 1.25. The distinctive Park Mark signage helps drivers find car parks where they can confidently leave their vehicle, knowing the environment is safer for them, their passengers and vehicle.
- 1.26. In order to meet these standards, the Council will work towards delivering **appropriate facilities and quality maintenance.**

Facilities

- 1.27. The Council is committed to providing quality facilities in all its car parks to maximise the parking experience of its local community as well as the many visitors and holiday makers that come to Weymouth & Portland. The facilities include:
- **Signage** – there is to be clear signage to assist motorists to locate car parks, park correctly, how to use the various payment channels and make the appropriate payment in order to avoid receiving a Penalty Charge Notice. Each car park is to have relevant telephone numbers clearly displayed should a member of the public wish to contact Parking Services.
 - **Wide car parking bays** – parking bay dimensions have not been amended since the 1960's and cars have increased in size. The Council's car parks will therefore have some wider bays introduced when opportunities arise.
 - **Payment channels** – motorists can pay using coins, credit / debit cards and via the pay by telephone solution.
 - **Disabled parking** – Every car park has dedicated bays for vehicles that are displaying a valid blue badge.
 - **Campervans** – a number of the car parks will have larger parking bays in order to accommodate campervans.
 - **Coaches and HGVs** – some car parks have dedicated parking areas that accommodate coaches and HGVs.
 - **Family bays** – some car parks will have larger bays that are specifically for families who need additional space when visiting this seaside resort and its attractions.
 - **Lighting** – each car park should have adequate lighting, and schemes will be brought forward to secure improvement when opportunities arise

- **Litter bins** – each car park will have recycling/litter bins
- **Directional signage** – signs will be placed in the car parks to assist motorists to find information about their destinations once they have parked their vehicles, e.g. shops, cinema and seafront.

Maintenance

1.28. Every car park will be regularly inspected to ensure that the car park is maintained to a high standard. The checks that are carried out include, but not limited to:

- Surfacing
- Surface markings – bays, directional arrows, yellow lines and wording,
- All car park signage
- Pay & display machines
- Boundary fencing
- Lighting
- Grassed areas and vegetation

6 Operational Protocol Policy

1.29. Weymouth & Portland Borough Council undertakes patrols and carries out necessary enforcement of its off street car parks for the following principal reasons:

- To reduce town centre congestion by providing car parks that are easy to use and conveniently located to the town centre and other locations/attractions throughout the Borough.
- To assist the town's commercial viability in managing short stay car parks in order to maximise the turnover of parking spaces and to achieve high occupancy rates.
- To provide a security presence in all the Council car parks
- To ensure the parking provision is fair and encourages sustainable travel choices.

1.30. Our aim is for a fair and proportionate regime, which benefits all those who live, work or visit the Borough for pleasure. Our aim is also to be consistent with national guidelines and legislation upon which this protocol is based.

1.31. The purpose of this document is to formalise the Borough's car park operational & enforcement procedures. It details contravention codes and documents any exemptions that may apply to them.

1.32. It is important to note that whilst every effort has been made to ensure the accuracy of the information contained within this document, the policies and practises set out herein may be subject to change.

1.33. Whilst we aim to ensure that the information within this document is up to date and accurate, drivers should refer to the relevant parking and traffic signs to enable them to make informed decisions when parking their vehicle. Drivers should also check the conditions of any permit, badge or dispensation issued when using the Council's car parks.

1.34. The Council will not be held responsible for any inaccuracies in this document. Parking enquiries may be made via Parking Admin (01305 838000) or by emailing DCPParking@dorset.gov.uk

1.35. **Glossary of Terms**

Term	Description
CEO	Civil Enforcement Officer
GRACE PERIOD	This is a statutorily defined period of time where a vehicle committing a contravention will not receive a PCN. This should not be confused with an observation period.
NTO	Notice to Owner
OBSERVATION TIME	An observation period is an amount of time during which a vehicle is monitored to ensure that it is complying with the appropriate restrictions.
PATROL	Parking and Traffic Controls Outside London
PCN	Penalty charge notice
HHCT	Hand held computer terminal
TPT	Traffic Penalty Tribunal

TRO	Traffic Regulation Orders are by-laws which define parking rules and regulations. Weymouth & Portland Borough Council has a TRO governing the terms and conditions of the use of its car parks.
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Legislation

- 1.36. Weymouth & Portland Borough Council enforces car park regulations under the Road Traffic Regulation Act 1984 and the Traffic Management Act 2004.
- 1.37. The Traffic Management Act 2004 (TMA 2004) was introduced to bring London and non-London enforcement authorities into line and provide for greater consistency of traffic enforcement across the country while allowing for parking policies to suit local circumstances.
- 1.38. The TMA 2004 seeks to ensure that the system is fair to the motorist and it is effective in enforcing parking contraventions when they occur.

Training

- 1.39. The Traffic Management Act 2004 (Part 6) highlights the importance of continuous professional development for all staff.
- 1.40. As part of This Council's enforcement operation all Civil Enforcement Officers (CEOs) that patrol and enforce the Council's car parks are required to have achieved a recognised national qualification.
- 1.41. The qualifications that are available to CEOs are as follows:
 - City and Guilds Level 2 Award for Parking Enforcement Officers
 - (WAMITAB) Waste Management Industry Training & Advisory Board Level 2 Award for Parking Enforcement Officers.

Deregulation Act 2015 "Grace Period"

- 1.42. The Deregulation Act 2015 requires that a "grace period" of 10 minutes be applied to paid for time and free parking bays from 1st April 2015. The grace period is only applicable where the requirements of the bay have been satisfied first i.e. a parking session has been purchased, the vehicle holds the relevant permit, undertaking an exempted activity, etc. If these requirements have not been met the vehicle will be subjected to enforcement in line with the established protocol for that restriction.
- 1.43. A vehicle parking outside of controlled hours is considered to have parked at a time when no restrictions are in force and therefore no requirements to satisfy. The 10 minute grace period will apply for the first 10 minutes of the next controlled parking period. For example, if the car park chargeable hours apply from 8.00 am to 6.00 pm and the vehicle was parked before 8.00 am, the grace period would still apply and therefore no PCN should be issued until 8.11 am.
- 1.44. It is important to note that the grace period only applies to "designated parking places" and not yellow lines, or other restricted areas within a car park.

Issuing a penalty charge notice (PCN)

- 1.45. Penalty Charge Notices (PCNs) can be issued by Civil Enforcement Officers (CEOs) patrolling the borough car parks on foot, by bicycle or van. A PCN issued in a car park will be served by either being affixed to the vehicle or by being handed to the person appearing to be the driver. In instances where a vehicle is

driven away after the PCN has been printed or where the CEO is prevented from serving it, the PCN may be served by post.

- 1.46. It should also be noted that a CEO is not required to locate the driver of the vehicle before issuing a PCN, as this is not practical or necessary to the issuing of a PCN. A vehicle that is observed to be parked in contravention is likely to receive a PCN.
- 1.47. Drivers should not ask CEOs to cancel a PCN once it has been issued as they are not authorised to do this. CEOs will however, make a note of any conversation between themselves and a driver in their notebooks. These notebooks are used when considering a challenge to a PCN.

Challenging a penalty charge notice

- 1.48. Motorists in receipt of a PCN are legally entitled to challenge the Notice, if they believe that a legal exemption applies or feel that there are mitigating circumstances that need to be considered. The process for this is detailed on the PCN itself. Any motorist challenging a PCN should ensure that they provide full details of the reason for their challenge, with supporting evidence where appropriate.
- 1.49. An application form for challenging your PCN online can be found at <https://www.dorsetforyou.com/article/418907/Online-Challenge-of-a-Penalty-Charge-Notice>
- 1.50. Alongside the legal grounds for challenging a PCN, the Council will consider any mitigating factors presented by the motorist. The Council has the discretion to cancel any PCNs where they feel the mitigation presented is sufficient to warrant the cancellation of the PCN.
- 1.51. Should the motorist be unsuccessful in challenging the PCN with the Council following the issue of the Notice to Owner (NTO), they are entitled to refer their case to the Traffic Penalty Tribunal, where the case will be considered by an independent adjudicator who is legally qualified (e.g. a solicitor or a barrister).
- 1.52. For more information about the Traffic Penalty Tribunal please visit their website www.trafficpenaltytribunal.gov.uk/

Clamping and removal

- 1.53. Weymouth & Portland Borough Council does not undertake widespread clamping or removal of vehicles. The Council does however take a firm but fair approach and will continue to take strong action against the minority of worst offenders.
- 1.54. It should be noted however that the bailiff company employed by this Council to execute warrants issued by Northampton County Court that are related to a registered outstanding parking fine debt may immobilise a vehicle as part of their enforcement process.

Yellow lines

- 1.55. Double yellow lines within a car park indicate that waiting is not permitted at any time.
- 1.56. It should be noted that vehicles displaying a Blue Badge are not allowed to park on yellow lines within a car park.

PCN charges

- 1.57. Differential Charging was introduced on 1 July 2007 on the basis that there should be different charges for more serious and less serious contraventions. As a result of this, penalty charges are now separated into two levels: Higher and Lower.

Higher Penalty Charge	Lower Penalty Charge
£70 – Full Charge	£50 – Full Charge
£35 – 14 day discount rate	£25 – 14 day discount rate
£105 – Charge Certificate	£75 – Charge Certificate

Overstaying period paid for PCN

- 1.58. Where a PCN has been issued for overstaying the period paid for, by up to a maximum of 1 hour, the Council will accept a discounted payment of £12.

Contravention codes

- 1.59. A full list of standard PCN codes relating to car parks can be found at PATROL's website http://www.patrol.uk.info/patrol/info/1/parking/23/contravention_codes/2 Below is a description of a selection of contravention codes that are enforced in Weymouth & Portland Borough Council.
- 1.60. Please be aware that not all PCNs require an observation time and that observation times will vary depending on the contravention.

Code	Contravention Description	Penalty Charge	Location
70	Parked in a loading place or bay during restricted hours without loading	Higher	Off-street loading areas
71	Parked in an electric vehicles' charging place during restricted hours without charging	Higher	Off-street car parks
73	Parked without payment of the parking charge	Lower	Off-street car parks
74	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	Higher	Off-street car parks
80	Parked for longer than permitted	Lower	Off-street car parks
81	Parked in a restricted area in a car park	Higher	Off-street car parks
82	Parked after the expiry of paid for time	Lower	Off-street car parks
83	Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock	Lower	Off-street car parks
84	Parked with payment made to extend the stay beyond initial time	Lower	Off-street car parks
85	Parked without clearly displaying a valid permit where required	Higher	Off-street car parks
86	Not parked correctly within the markings of a bay or space	Lower	Off-street car parks
87	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	Higher	Off-street car parks

89	Vehicle parked exceeds maximum weight or height or length permitted	Higher	Off-street car parks
90	Re-parked in the same car park within one hour after leaving	Lower	Off-street car parks. "one hour" may be varied to another time period or "the prescribed time period"
91	Parked in a car park or area not designated for that class of vehicle	Higher	Off-street car parks
92	Parked causing an obstruction	Higher	Off-street car parks
93	Parked in car park when closed	Lower	Off-street car parks
94	Parked in a pay & display car park without clearly displaying two valid pay and display tickets when required	Lower	Off-street car parks. "two" may be varied to another number or "multiple"
95	Parked in a parking place for a purpose other than that designated	Lower	Off-street car parks
96	Parked with engine running where prohibited	Lower	Off-street car parks

The PCN Process

- 1.61. Following the issue of a PCN the ability of paying a discounted amount (50%) is allowed up to 14 days after which the full penalty charge is payable.
- 1.62. If a challenge in writing is received within the discount period the 'clock' will stop until a decision is reached and it is highly likely that should the challenge be rejected that another 14 days will be given in order to pay the discounted amount.
- 1.63. If neither payment nor a challenge is received within 28 days a Notice to Owner will be issued and the Full Penalty Charge is required to be paid. It is possible to make a formal representation within 28 days and again the 'clock' stops until a decision has been made.
- 1.64. Should the representation be rejected then either the payment of the full penalty charge has to be made or an Application is lodged with the Traffic Penalty Tribunal for an Appeal to be heard within 28 days.
- 1.65. If an Appeal has been lodged then the 'clock' stops until a decision by the Traffic Penalty Tribunal has been made.
- 1.66. If neither is made within the 28 days then a Charge Certificate will be issued increasing the penalty charge by 50%.
- 1.67. If the Traffic Penalty Tribunal refuses the Appeal (the issue of the PCN is upheld) then the full penalty charge is required to be paid within 28 days or a Charge Certificate will be issued increasing the penalty charge by 50%.
- 1.68. Should the Charge Certificate not be paid within 14 days then the Council will register the unpaid penalty charge as a debt with Northampton County Court (Traffic Enforcement Centre).
- 1.69. Once the debt has been registered then the Council on behalf of the Court will issue an Order for Recovery and the cost to register the debt (currently £7) will be added to the penalty charge.
- 1.70. A full flow charge of the PCN process can be found on PATROL's web site <http://www.patrol-uk.info/patrol/info/1/parking>.

- 1.71. Advice on the factors which will inform the Council's decisions on appeals is provided on the Council's website

Debt Recovery Process

- 1.72. Should the Order for Recovery not be paid then the Court will issue a warrant and the Council will issue this to its appointed Bailiff to recovery. Please note that the Bailiff Fees will be added to the penalty charge.
- 1.73. If the Penalty Charge Notice has not been cancelled and no payment has been received and all the above processes have been pursued then the Council has no option other than to appoint Enforcement Agents (Bailiffs) to collect the outstanding debts on its behalf.
- 1.74. Bailiffs can only act when in receipt of a Warrant that has been issued by the Traffic Enforcement Centre (Northampton County Court).
- 1.75. The Council believes that the debtor has had sufficient warning that this debt recovery action will occur if the outstanding debt is not paid. In addition to the Penalty Charge Notice the Council issues, 2 other enforcement notices prior to 2 enforcement notices being issued by Northampton County Court.
- 1.76. It should be recognised that once a Warrant has been issued to an Enforcement Agent then the Council should no longer get involved as it is a matter between the debtor and the enforcement agent, although in exceptional circumstances the Council may take the decision to intervene.